Amendments to the Claims

1. – 62.   (canceled)

63.   (currently amended) A method of transmitting voice data in a network, comprising:

establishing a connection between a first device and a second device through a packet switched network using a packet switched network communications protocol;

transmitting, from the first device, original voice data in original packets through the connection;

determining a replication factor at the first device, wherein the replication factor is a number of replications of the original packets to be made; and

transmitting, from the first device, redundant voice data by replicating the original voice data including a redundancy index, wherein the redundancy index ~~is based upon the replication factor~~ indicates which replication the redundant voice data comprises.

64.   (previously presented) The method of claim 63, comprising:

determining if a replication flag has been set;

if the replication flag has been set, determining a replication factor comprising determining an under-utilization of a modem.

65.   (previously presented) The method of claim 64, comprising setting a replication flag based upon one of either   reception of a redundancy request or a comparison of an input error rate to a threshold.

66.   (previously presented) The method of claim 63, determining a replication factor comprising one of determining an under utilization of a modem, network resources, or a redundancy request.

67.   (previously presented) The method of claim 63, transmitting redundant voice data comprising transmitting the redundant voice data as additional packets.

68.   (previously presented) The method of claim 67, transmitting the redundant voice data as additional voice packets comprising transmitting additional voice packets with redundancy indices.

69.   (previously presented) The method of claim 63, transmitting the redundant voice data as additional data in off-series original packets.

70.   (previously presented) The method of claim 63, transmitting, from a first device, comprising transmitting from one of a transmitting endpoint or a router between the transmitting endpoint and the second device.

71.   (currently amended) A device to transmit voice data in a network, comprising:

a connection to a network allowing the device to connect to a second device through a packet switched network using a packet switched network communications protocol;

a processor to:

transmit original voice data in original packets through the connection;

determine a replication factor of how replications of the original voice data are to be created; and

transmit redundant voice data by replicating the original voice data, wherein the redundant voice data has a redundancy index based upon the replication factor indicating which replication the redundant voice data comprises.

72.   (previously presented) The device of claim 71, the processor further to:

determine if a replication flag has been set;

if the replication flag has been set, determine a replication factor comprising determining an under-utilization of a modem.

73.   (previously presented) The device of claim 71, the processor to determine a replication factor depending upon one of an under utilization of a modem, network resources, or a redundancy request.

74.   (previously presented) The device of claim 71, the processor to transmit redundant voice data as additional packets.

75.   (previously presented) The device of claim 71, the processor to transmit the redundant voice data as additional voice packets with redundancy indices.

76.   (previously presented) The device of claim 71, the processor to transmit the redundant voice data as additional data in off-series original packets.

77.   (previously presented) The device of claim 71 comprising a transmitting endpoint or a router between the transmitting endpoint and the second device.

78.   (currently amended) An article of computer-readable medium containing instructions, that when executed, cause the computer to:

establish a connection between a first device and a second device through a packet switched network using a packet switched network communications protocol;

transmit, from the first device, original voice data in original packets through the connection;

determine a replication factor at the first device as to a number of replications of the original voice data to be created; and

transmitting, from the first device, redundant voice data by replicating the original voice data including a redundancy index, wherein the redundancy index ~~is based upon the replication factor~~ indicates which replication the redundant voice comprises.

79. (previously presented) The article of claim 78, the instructions further to cause the computer to:

determine if a replication flag has been set;

if the replication flag has been set, the code causing the computer to determine a replication factor further causing the computer to determine an under-utilization of a modem.

80. (previously presented) The article of claim 79, the code causing the computer to set a replication flag based upon one of either reception of a redundancy request or a comparison of an input error rate to a threshold.

81. (previously presented) The article of claim 78, the code causing the computer determine a replication factor based upon an under utilization of a modem, network resources, or a redundancy request.

82. (previously presented) The article of claim 78, the code causing the computer to transmit redundant voice data causing the computer to transmit the redundant voice data as additional packets.

83. (previously presented) The article of claim 78, the code causing the computer to transmit the redundant voice data as additional data in off-series original packets.

84. (currently amended) A device to transmit voice data in a network, comprising:

a means for allowing the device to connect to a second device through a packet switched network using a packet switched network communications protocol;

a means for transmitting original voice data in original packets through the connection;

a means for determining a replication factor <u>as to a number of replications of the original voice data will be created</u>; and

a means for transmitting redundant voice data by replicating the original voice data, wherein the redundant voice data has a redundancy index ~~based upon the replication factor~~ <u>indicating what number replication the redundant voice data is</u>.

85.   (previously presented) The device of claim 81, the device comprising:

means for determining if a replication flag has been set;

means for determining a replication factor comprising determining an under-utilization of a modem, if the replication flag has been set.

86.   (previously presented) The device of claim 81 the device comprising a transmitting endpoint or a router between the transmitting endpoint and the second device.